

## **REMARKS/ARGUMENTS**

Claims 1-8 and 10-21 are pending in the present application, with claims 1 and 15 being the only independent claims. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1-8 and 10-21 stand rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 6,598,029 (Johnson) in view of U.S. Patent No. 5,873,251 (Iino).

Independent claim 1 recites “collecting by a control node bids and asks from buyers and sellers of electric power”, “dynamically matching by the control node the collected bids and asks to form matches”, “receiving by the control node information related to current supply and demand conditions on an electric network through a feedback loop”, and “generating, by the control node, a route plan for routing electricity between the matched buyer and seller and for simultaneously balancing loads and resources of the electric network based on the supply and demand conditions received through the feedback loop”.

Independent claim 15 recites “a control node for receiving bids and asks from buyers and sellers” and “matching the received bids and asks to form matched bids and asks”, and “said control node being configured for receiving information relating to current supply and demand conditions on the electric network through the feedback loop, generating a route plan for routing electricity between the matched buyer and seller and for simultaneously balancing loads and resources of the electric network based on the supply and demand conditions received through the feedback loop”.

Accordingly, the independent claims each require a control node that (1) receives the bids and asks, (2) matches the bids and asks, and also (3) generates a route plan for delivering electricity between matched buyers and sellers. The advantage of this invention is that the entity

that generates the matches (i.e., the control node) knows the status of the resources of the electric network and can avoid matches that are impossible to deliver.

The combined disclosures of Johnson and Iino fail to disclose the claimed control node. Johnson discloses an auction service in which providers supply energy to end users in accordance with economic incentives resulting from a bidding process administered by a moderator (col. 6, lines 3-14 of Johnson). Each of the providers transmits to the moderator the rate it is willing to charge for supplying energy (electric power or gas) to be provided to the end users (col. 6, lines 24-28). Johnson further states that the provider may change its bids as often as it likes as market place demands for energy change or in response to competitors' bidding activities (col. 6, lines 40-42). The moderator sorts the bid information according to rules of the auction (col. 6, lines 43-49). The moderator then transmits selected portions of this information to a control computer associated with each end user (or group of end users) and participating providers (col. 6, lines 52-57). Each control computer gets the rate information and/or provider selection information from the moderator that pertains to the ends users with whom the control computer is associated (col. 6, lines 57-61). Each control computer selects those providers from whom the participating end users will be provided electric power or gas (col. 7, lines 6-10).

The moderator collects the end users actual usage to create usage reports to be transmitted to providers (col. 7, lines 24-27). The provider can adjust its bids to create more demand on a spot basis (col. 7, lines 34-40). Each provider manages power generation and/or power provisioning (or gas production and/or gas provisioning) in response to the usage reports (col. 7, lines 41-55). Moreover, Johnson specifically discloses at col. 16, lines 49-56, that the provider is responsible for scheduling the delivery of the electric power or natural gas to the end user such as, for example, by notifying the regional grid controller.

Johnson fails to disclose that the moderator, which receives the bids and asks also generates a route plan to deliver the electricity. Rather, Johnson discloses that it is the grid controller of a DISCO (i.e., local distribution companies), not the Moderator/Control Computer, which requires the usage information to manage imbalances on its local grid effectively. More specifically, Johnson discloses a two step process in which the Moderator/Control Computer first selects the Provider to supply end users and then the selected Provider determines a route with a local grid operator (col. 16, lines 49-57). Thus, Johnson fails to disclose the claimed “control node” that (1) receives the bids and asks, (2) matches the bids and asks and also (3) generates a route plan for matched buyers and sellers that takes into account the supply and demand conditions received through the feedback loop, as recited in independent claims 1 and 15.

Iino fails to teach or suggest what Johnson lacks. Iino discloses a plant operation control system for a petrochemical plant. A main control 1 includes an electricity trade cooperation system 1A, a plurality of plant production planning decision systems 1B, and a plurality of optimal operation control systems 1C (see col. 4, lines 37-41 of Iino). The plant generates electricity and surplus generated electricity is transmitted to an electric power system and sold to an electric power company (col. 4, lines 25-33). The electricity trade cooperation system 1A is connected to the plant and to an electric power company and receives various power parameters from each (col. 9, lines 1-10). The control systems are operated to decide the optimal electricity sale quantity distribution so that operation at the highest possible profit can be realized for each plant and the electric power of the lowest possible price can be supplied as a whole (col. 12, lines 43-47). The paragraph at col. 13, lines 11-25 of Iino states that the production plants can thus perform the same function as electric power generating plants. However, Iino does not provide any details regarding the generation of routes. Iino makes only

the general disclosure that electric sale quantity of the local area including a plurality of factories and production plant can be adjusted to follow the demand (see col. 13, lines 11-15). The routes are presumably left to the electric power system 5 of the electric power company.

Since Iino fails to disclose details regarding how routes are generated, Iino also fails to disclose a control node that (1) receives the bids and asks, (2) matches the bids and asks and also (3) generates a route plan for matched buyers and sellers that takes into account the supply and demand conditions received through the feedback loop, as recited in independent claims 1 and 15.

In view of the above remarks, independent claims 1 and 15 are deemed to be allowable over Johnson in view of Iino.

Dependent claims 2-8, 10-14, and 16-18 are allowable for the same reasons as are independent claims 1 and 15, as well as for the additional recitations contained therein.

Dependent claims 8 and 20 further recite that the supply and demand conditions received through the feedback loop are used by the control node for dynamically matching bids and asks. The combination of Johnson and Iino fails to disclose this limitation because Johnson fails to disclose a feedback loop and Iino fails to disclose that a feedback loop is connected to a control node that matches bids and asks. Instead, Iino makes only the general disclosure that electric sale quantity of the local area including a plurality of factories and production plant can be adjusted to follow the demand (see col. 13, lines 11-15).

The application is deemed to be in condition for allowance and notice to that effect is solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
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